

**WORKSOURCE GEORGIA MOUNTAINS
WORKFORCE DEVELOPMENT BOARD
P.O. BOX 2278, GAINESVILLE, GA 30503
(770) 538-2727 PHONE ♦ (770) 538-2729 FAX**

RIGHTS STATEMENT

EQUAL OPPORTUNITY IS THE LAW

It is against the law for the WorkSource Georgia Mountains and the Georgia Mountains Workforce Development Board (GMWDB), a recipient of Federal financial assistance, to discriminate on the following bases: against any individuals in the United States, on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief; and against any beneficiary of programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his or her participation in any WIOA Title I-financially assisted program or activity. The recipient must not discriminate in any of the following areas: deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; providing opportunities in, or treating any person with regard to, such a program or activity; or making employment decisions in the administration of, or in connection with, such a program or activity. If you require assistance in completing the form, please contact the WorkSource Georgia Mountains Equal Opportunity Officer.

Appropriate steps must be made to ensure that communications with individuals with disabilities are as effective as communication with others. People with Hearing Impairments may contact the Georgia Relay Center by calling 1-800-255-0056 or dialing 711.

DISCRIMINATION GRIEVANCE PROCEDURES

If you think you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a Complaint within one hundred and eighty (180) days of the alleged violation with:

WorkSource Georgia Mountains
Georgia Mountains Workforce Development Board
Equal Opportunity (EO) Officer:
Andrea Newsom
Human Resources Specialist
P.O. Box 1720
Gainesville, GA 30503
Phone – 770-538-2626
Email – anewsom@gmrc.ga.gov

Georgia Department of Economic Development (GDEcD) Workforce Division
David Dietrichs
Equal Opportunity Officer
75 Fifth Street, NW, Suite 845
Atlanta, GA 30308
Phone – 404-962-4136
Fax – 404-876-1181
Email – ddietrichs@georgia.org

Georgia Department of Economic Development (GDEcD) Workforce Division
Ben Hames
Deputy Commissioner
75 Fifth Street, NW, Suite 845
Atlanta, GA 30308
Phone – 404-962-4005
Fax – 404-876-1181

OR

Application for a Workforce Innovation and Opportunity Act (WIOA) funded program **does not create an entitlement** to services, and nothing in the Act shall be construed to establish a right of action for an individual to obtain services under WIOA.

Director of Civil Rights Center (CRC)
ATTN: Office of External Enforcement
U.S. Department of Labor (USDOL)
200 Constitution Ave, NW
Room – N4123
Washington, DC 20210
Fax – 202-693-6505
ATTN: Office of External Enforcement
Email – CRCEXternalComplaints@dol.gov

1. If the Complainant chooses to file the discrimination complaint with the Local WorkSource Area or with GDEcD, a response shall be issued within ninety (90) days of the complaint's filing. The resolution shall be the written Notice of Final Action. Options for resolving the complaint shall include Alternative Dispute Resolution (ADR), at the Complainant's election.
2. The Complainant has the right to be represented in the complaint process by an attorney or other representative.
3. If the Complainant is dissatisfied with the resolution of his/her complaint by the Local WorkSource Area or GDEcD, the Complainant may file a new complaint with the CRC within thirty (30) days of the date on which the Complainant receives the Notice of Final Action. If the State of Local WorkSource Area fails to issue the Notice within ninety (90) days of the date on which the complaint was filed, the Complainant may file a new complaint with the CRC within thirty (30) days of the expiration of the ninety (90) day period (in other words, within one hundred and twenty (120) days of the date on which the original complaint was filed).
4. Further, GDEcD shall fully cooperate with any local, state, or federal investigation in accordance with the aforementioned proceedings or with any criminal investigation.

The Civil Rights Act of 1964, as amended, and the WIOA of 2014, as amended, guarantee you the right to file a complaint or alleged action concerning discrimination as stated above.

FRAUD, ABUSE, WASTE, MISCONDUCT OR ILLEGAL ACTIVITY GRIEVANCE PROCEDURES

In the event that a complaint involves allegations of fraud, abuse, waste, misconduct or illegal activity stemming from a WIOA-funded program, the Complainant shall immediately contact one of the entities listed below:

Georgia Department of Economic Development, (GDEcD) Workforce Division
 GDEcD, Workforce Division
 Attn: Compliance Team
 75 Fifth Street, NW, Suite 845
 Atlanta, GA 30308
 Phone – 404-962-4005

Georgia Office of Inspector General
 2 M.L.K. Jr. Dr., SW
 1102 West Tower
 Atlanta, GA 30334
 Phone – 1-866-435-7644 (1-866-HELPOIG)

Complaint form may be found at <http://oig.georgia.gov/file-Complaint>

Office of Inspector General, USDOL
 US Department of Labor
 200 Constitution Ave., NW, Room S-5506,
 Washington, DC 20210
 Phone – 1-800-347-3756

Complaint form may be found at <https://www.oig.dol.gov/hotlinecontact.htm>

GENERAL OR NON-DISCRIMINATORY GRIEVANCE PROCEDURES

1. Complaints arising at the WorkSource Georgia Mountains office level must be in writing, signed by the Complainant, dated within one hundred and eighty (180) days of the alleged incident, and must include the following information:
 - a. the full name, telephone number (if any) and address of the person making the complaint (Complainant);
 - b. the full name and address of the Respondent against whom the complaint is made;
 - c. a clear and concise statement of fact, including pertinent dates, and witnesses (if any) constituting the alleged violation, and
 - d. the type of relief requested.

A complaint will be considered to have been filed when the reviewing authority receives from the Complainant a written statement, including information specified on the complaint form which contains sufficient facts and arguments to evaluate the complaint.

2. Complaints must be submitted to the Director, WorkSource Georgia Mountains, P.O. Box 2278, Gainesville, GA 30503.
3. The Director shall investigate the complaints and attempt to resolve the matter through mediation within ten (10) business days of receipt of the complaint.
4. If the complaint cannot be resolved within ten (10) business days, a hearing shall be conducted within ninety (90) days of receipt of the initial complaint. When a hearing is necessary, the Complainant and the Respondent will be given reasonable notification by certified mail of the following information:
 - a. A statement of the date, time and place of hearing, including the name of the impartial hearing officer;
 - b. A statement of the authority and jurisdiction under which the hearing is to be held;
 - c. A reference to the particular section of the Act, regulations, grant or other agreements under the Act involved;
 - d. A statement of the alleged violations of WIOA (This may include clarification of the original complaint, but must accurately reflect the content of the submitted documentation of the Complainant);

- e. The right of both parties to be represented by legal counsel;
 - f. The right of each party to present evidence, both written and through witnesses;
 - g. The right of each party to cross-examine; and
 - h. The name, address, and telephone number of the contact person issuing the notice.
5. A hearing can be rescheduled at the request of either party for just cause.
 6. The hearing shall be conducted by the Executive Committee of the Georgia Mountains Workforce Development Board (GMWDB). The committee may designate staff and/or other parties to serve as the impartial hearing officer. However, no GMWDB or staff member who has been directly involved in the events from which the complaint arose shall serve as a decision-maker in such complaint. If the complaint is against WorkSource Georgia Mountains itself, an impartial person will be secured by WorkSource Georgia Mountains to serve as the hearing officer. Impartial hearing officers shall be chosen from qualified individuals with expertise in the area from which the complaint arises. When an impartial hearing officer is necessary, the WorkSource Georgia Mountains Director will be notified to provide a qualified person. The right to an impartial decision-maker shall not be abrogated by the GMWDB or WorkSource Georgia Mountains. In the age of advanced communication options and to encourage timely responses to all complaints, the GMWDB may utilize e-mail, internet-based meeting facilities, in-person or any other mutually acceptable formats to conduct a hearing.
 7. The Executive Committee of the GMWDB, or, its designee acting as a hearing officer, shall have the authority to regulate the course of the hearing, set the time and place for continued hearings, fix the time for filing briefs, and dispose of motions. A final decision must be rendered by the GMWDB Executive Committee or its designee within sixty (60) days of the completed hearing unless all parties are notified by certified mail of the need for additional time.
 8. A complete record of the hearing shall be made and maintained for three (3) years and include the following:
 - a. All pleadings, motions, and intermediate ruling;
 - b. Detailed minutes or mechanical recording of the oral testimony and all other evidence presented;
 - c. A statement of matters officially noted;
 - d. All staff memoranda or data submitted to the GMWDB Executive Committee or its designee in connection with their consideration of the case;
 - e. Findings of facts based on the evidence submitted at the hearing;
 - f. Notification of both parties of further appeal procedures, if applicable; and
 - g. Final decision of the hearing officer.
 9. A log of all complaints received within the WorkSource Georgia Mountains office will be filed on-site. The log will include the name of the Complainant, the name and/or organization of the Respondent, the date of the complaint, and the resolution of the complaint (if rendered).

GEORGIA DEPARTMENT OF ECONOMIC DEVELOPMENT (GDECD) REVIEW OF THE GRIEVANCE

The Complainant shall be informed of the right to request a review of his/her complaint by the GDEcD if:

1. The Complainant does not receive a decision at the Georgia Mountains Workforce Development Board (GMRCWD) level within (60) sixty days of the filing the complaint, or
2. The Complainant receives a decision unsatisfactory to him/her. See GDEcD Policy and Procedure 1.3-7 II c.

The request for review should be submitted to:

Georgia Department of Economic Development, Workforce Division

Attn: Deputy Counsel David Dietrichs

75 Fifth Street, NW, Suite 845

Atlanta, GA 30308

Phone – 404-962-4005

Fax – 404-876-1181

Email – wdcompliance@georgia.org

OTHER GRIEVANCES

1. Complaints arising from contracts or vendor agreements with Georgia public schools such as those which pertain to disciplinary actions of teachers or students, grading policy or teacher employment contracts will be handled by the grievance procedure outlined in OCGA §20-2-1160, §20-2-109, §20-2-50. Grievance hearings held by public school service providers should be consistent, with State policy/procedures and must be initiated within (30) thirty days of filing of the grievance and a decision rendered within (60) sixty days of the filing date of the grievance. Where grievances arise in the area's outlined above, the service provider will submit to the Georgia Mountains Workforce Development Board (GMWDB) within (5) five days, summaries or checklists of WorkSource Georgia Mountains complaints filed. Hearings held, decisions rendered and appeals filed shall be provided to GMWDB within (10) ten days of the decision being finalized.

If a Complainant does not receive a decision within (60) sixty days of filing the complaint or receives an unsatisfactory decision, the Complainant then has the right to request a review by the GDEcD. The request for review should be submitted to:

[NOTE: For the purpose of this section, the State Superintendent of Schools or his/her designee acts as the GDEcD's authorized representative.]

Complaints which pertain to terms of the contract between the school and the GMWDB, which may include curriculum and course content, provision of teaching materials and equipment, eligibility, customer selection, or other terms made part of the contract, should be handled by the grievance procedure as presented by the General or Non-Discriminatory Grievance Procedure section.

2. Complaints against the Georgia Department of Labor Career Centers should be filed with the Complaint Specialist or Career Center Manager in accordance with their policies and procedures.
3. Complaints alleging labor standards violations may be filed using the established local and State Grievance Procedures or submitted to a binding arbitration procedure, if a collective bargaining agreement covering the parties to the grievance so provides.
4. Applicants, customers, service providers, bidders, WIOA funded staff or other interested parties alleging violations of the Acts, regulations, sub grants, or other contracts under WIOA (other than discrimination complaints) shall utilize the General or Non-Discriminatory Grievance Procedures in filing a complaint. Individuals shall be informed of this right by the WorkSource Georgia Mountains staff.

Definitions:

- *Days* – Days are consecutive calendar days, including weekends and holidays. If a deadline imposed under the provisions of this section falls on a holiday or weekend, then the deadline shall be the next business day.
- *Complainant* – A Complainant is the person or entity filing the Complaint.
- *Complaint* – A Complaint is the written document which contains the alleged violation.
- *General Complaint* – A Complaint involving a general, non-discriminatory WIOA violation.
- *Participant* – A Participant is an individual who has been determined eligible to participate in, and who is currently receiving services under a program authorized by WIOA.
- *Respondent* – A Respondent is the person or entity against whom the Complaint is made.
- *Subrecipient* – A Subrecipient is a non-Federal entity that receives a subaward from a pass through entity (generally from a recipient) to carry out part of a Federal program. This term does not include an individual that is a beneficiary of such a program. A Subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

I have read and understand the Rights Statement and acknowledge so with my signature.

Customer's Signature

Date

Parent's/Guardian's Signature (if applicable)

Date

***A copy of this document should be given to the customer and one copy should be retained in his/her file (if applicable).**